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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/578,612	05/25/2000	Georgia Hilton	P/48-1	7248

7590

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EXAMINER

GRIER, LAURA A

ART UNIT

PAPER NUMBER

2644

DATE MAILED: 03/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/578,612

Applicant(s)

HILTON, GEORGIA

Examiner

Laura A Grier

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 1-3, and 9-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 4-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

1. The indicated allowability of claims 4-8 are withdrawn in view of the newly discovered reference(s) to Ludwig et al., U. S. Patent No. 6343314 and LaMacchia, U. S. Patent 6134379.

Rejections based on the newly cited reference(s) follow.

### *Specification*

2. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 4-8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Ludwig et al, U. S. 6343314 in view of LaMacchia, U. S. Patent 6134379.

Regarding **claim 4**, Ludwig et al. (herein, "Ludwig") discloses a remote participant hold and disconnect during videoconferencing. Ludwig discloses a plurality of multimedia workstations (which constitutes as audio workstations) for processing audio (col. 3, lines 47 and figure 1); IP and Non-IP based audio processing systems (col. 20, lines 17-21, with indication that the same and/or identical hardware, software, etc may be used for the desired system (col. 41, lines 37-45); and indicates that the equipment is coupled via wiring/cable with the network location. However, Ludwig fails to specifically disclose the workstations as Digital Audio Workstations, with tactile work surface systems and matched audio consoles (herein, "DAW equipment").

Regarding the DAWs, in a similar field of endeavor, LaMacchia discloses a method and apparatus for synchronizing devices in an audio and video system. LaMacchia's disclosure discloses the use of digital audio workstations, wherein the tactile control surfaces inherently taught (col. 1, 4<sup>th</sup> paragraph and col. 2, 2<sup>nd</sup> paragraph and figures 1-2).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Ludwig by implementing a plurality or multiple number of DAWs with complimenting accessories for the purpose of enable an audio recording expert

and/or engineers to manipulate and/or modify the audio data/equipment as desired for optimal performance, wherein the DAWs are preferred by many skilled in the art for other reasons disclosed by LaMacchia in col. 1, lines 35-47.

Regarding **claim 5**, Ludwig and LaMacchia disclose everything claimed as applied above (see claim 4). Ludwig further discloses means of interconnecting the equipment for interaction between the local and remote locations with a MLAN/WAN network system capable of high-speed audio and video data (col. 3, lines 48-56; col. 5, lines 62-67 and col. 6, lines 1-6 and 62-67 and col. 12, last paragraph).

Regarding **claim 6**, Ludwig and LaMacchia disclose everything claimed as applied above (see claim 4). Further, Ludwig discloses communicative interaction between the remote locations and further LaMacchia disclose the capabilities of the DAWs for performing audio manipulations.

Regarding **claims 7 and 8**, Ludwig and LaMacchia disclose everything claimed as applied above (see claim 4). Further, Ludwig discloses the high-speed network facilities with routers (col. 10, lines 14-15), network hubs (DATA MLAN hub), cable and/or UTP wiring, interconnection between multiple networks, and the WWW and IP capabilities as well as audio and video servers (with A/V switching circuitry AVNM-63) to support the plurality of DAWs and consoles. (col. 20, lines 18-51).

### ***Response to Arguments***

5. Applicant did not present any arguments.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura A Grier whose telephone number is (703) 306-4819. The examiner can normally be reached on Monday - Friday, 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**Or faxed to:**


**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

LAG

February 23, 2002

  
FORESTER W. ISEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600